

REPORT TO CONGRESS ON THE

Optimal Utilization

OF JUDICIAL RESOURCES

Submitted by

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OF JUDICIAL RESOURCES

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INTRODUCTION

The federal Judiciary continues to embrace the challenge to improve services, enhance productivity, and reduce costs. The following pages provide examples of the Judiciary's myriad efforts to operate as cost effectively as possible while maintaining superior service to the bench, bar, and public. Produced at congressional request, this fourth annual *Report to Congress on the Optimal Utilization of Judicial Resources* discusses actions taken in fiscal year 1999 and efforts ongoing in or planned for fiscal year 2000.

Where possible, the report quantifies the benefits produced by the initiatives. Dollar amounts provided may be *efficiency savings*, which result from redirecting resources to more productive use but yield no budget reductions; *budget savings*, which refer to reductions in current spending levels; or *cost avoidances*, which occur when an initiative eliminates the need to incur known future costs.

The report includes a wide range of items—large and small, national and local—across all major program areas to demonstrate the breadth of effort the Judiciary is investing into serving well the taxpayers of this country with outstanding service at reasonable cost.

ACTIONS TAKEN DURING FISCAL YEAR 1999

Budgetary Actions

DECISIONS TO LIMIT GROWTH IN NATIONWIDE STAFFING LEVELS

The Judiciary made decisions to limit growth in nationwide staffing for fiscal years 2000 and 2001. Typically, the Judiciary requests from Congress funding for staffing increases associated with growing workload based on objective staffing formulas that determine personnel requirements. Given tight government-wide spending limits, the Judiciary expressly decided to limit its funding requests to Congress for staffing increases, even though the increases are well justified. Specifically, in its fiscal year 2000 budget request, the Judiciary requested no increases in nationwide court support staffing levels, holding to fiscal year 1999 levels. Then, in its fiscal year 2001 budget request, the Judiciary requested only modest increases in court support staff to accommodate growing workload, but still well below levels indicated by the staffing formulas. To further contain the fiscal year 2001 budget, the Judiciary did not request full year funding for the new positions.

Quantitative Benefits. The Judiciary's decision not to request additional court support staff in fiscal year 2000 reduced that year's budget request by about \$89 million (1,590 work units). Further, the Judiciary's decision to limit increases in the fiscal year 2001 budget request reduced the request by about \$51 million (904 work units). Including only partial year funding for the new positions for fiscal year 2001 reduced the request an additional \$21 million.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
—	\$88.7	\$72.0	—	—

REQUEST FOR COURTS TO RETURN ALLOTTED FISCAL YEAR 1999 FUNDS

Expecting a funding shortfall in fiscal year 2000, a nationwide appeal was issued to courts to return funds allotted in fiscal year 1999 to help minimize shortages in fiscal year 2000.

Quantitative Benefits. As a result of this request, 189 court units around the country returned nearly \$15 million. This was not done without sacrifice. To return these funds, courts had to delay or defer hiring needed staff, training, automation projects, and other important activities. Whether it will be necessary for courts to take similar actions in fiscal year 2000 and beyond will depend on the Judiciary's future financial situation.

<u>\$ in Millions</u>				
<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$15.0	—	—	—	—

Automation and Technology

USE OF NATIONAL INTERNET GATEWAYS

The Judiciary is realizing significant benefits by requiring that its computers maintain Internet access only through Judiciary-administered national gateway connections. The alternative to national gateway connections would be more expensive arrangements developed and supported locally, involving additional staff time and hardware and software costs. The Judiciary established these gateway connections to protect sensitive case information and other data from unauthorized access; the Judiciary has selected carefully the most cost-effective option for accomplishing this.

Quantitative Benefits. Just five staff members administer the nationally supported gateways. In contrast, support of local gateways would require about 200 staff; thus, the national approach avoids about \$11 million to \$12 million annually in personnel costs. In addition, the national approach avoids about \$6.5 million annually in hardware, software, telecommunications, space, and Internet provider costs.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$16.9	\$17.0	\$17.6	\$18.1	\$18.7

Qualitative Benefits. The nationally supported gateway approach facilitates the establishment of standardized data security and configuration management plans. Further, it facilitates the testing and implementation of court applications that involve the Internet. Finally, it provides a means of automatically balancing computer traffic load.

**REPLACEMENT OF JUDICIARY
DATA CENTER MAINFRAME**

The Judiciary reduced spending by replacing its mainframe computer processor in fiscal year 1998, and continues to realize additional efficiencies associated with this decision. Specifically, the Judiciary spent less on maintenance and operating system costs in fiscal year 1999, which will continue in fiscal year 2000 and beyond, by eliminating remnants of older technology and obtaining advantageous rates for vendor-supported activities.

Quantitative Benefits. Annual savings and cost avoidances range from \$200,000 to \$280,000.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.24	\$0.28	\$0.28	\$0.20	\$0.20

Qualitative Benefits. Replacing the mainframe improves system availability to customers due to increased hardware reliability, reduces exposure to system outages, and provides greater fault tolerance through redundant design and other engineering advances.

**USE OF CONTRACTING MECHANISMS
TO SAVE COURT STAFF TIME**

The Judiciary is using blanket purchasing agreements and other competitive contracts to reduce the administrative burden on courts of acquiring personal computers (PC) and local-area network (LAN) hardware. These contracting mechanisms reduce court staff effort for making PC and LAN hardware acquisitions. Savings are

realized in both the effort required to research and locate vendors offering the required hardware components, and in soliciting and reviewing vendor cost proposals. This allows court staff to redirect their efforts to other high priority activities.

Quantitative Benefits. The Judiciary is realizing about \$50,000 annually in efficiency savings through this mechanism.

<u>\$ in Millions</u>				
<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.04	\$0.05	\$0.05	<i>Additional savings expected but currently unknown.</i>	

Qualitative Benefits. The clearly defined terms and conditions of these contracts provide courts a greater degree of assurance regarding vendor performance than would open-market purchasing with no permanent contract. Further, since the contracts are subject to annual renewal by the Judiciary, the vendors have an ongoing incentive to maintain high performance.

ACQUISITION OF JUDICIARY-WIDE SOFTWARE LICENSES AND SUPPORT AGREEMENTS

The Judiciary has adopted standards promoting the central acquisition of software in volume through enterprise licensing agreements. This allows the Judiciary to avoid significant costs by receiving discounts for large quantity purchases. The alternative would be for courts to buy software locally in smaller, non-discounted quantities.

Quantitative Benefits. Excluding yet-to-be-determined savings from its latest acquisition—an enterprise license for improved electronic mail and calendaring/scheduling systems—the Judiciary expects to avoid a total of about \$2 million in costs in fiscal years 1999 through 2001.

<u>\$ in Millions</u>				
<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.45	\$0.75	\$0.75	<i>Additional cost avoidances expected but currently unknown.</i>	

Qualitative Benefits. The Judiciary receives a greater level of vendor product support than it would if courts purchased software individually.

ACQUISITION OF NEW TELEPHONE SYSTEMS

An ongoing effort is underway to replace aging telephone systems in the Judiciary with modern, consolidated systems. In fiscal year 1999, the Judiciary upgraded telephone systems in the Thurgood Marshall Federal Judiciary Building and in 20 courts. The number of additional courts updating their systems in the future is not known as prospective upgrades depend on the construction of new courthouses and the renovation of existing facilities. The new, cost-effective systems will save resources by consolidating service on fewer lines than required by alternative telephone solutions. Savings will also result from the shared use of common equipment and the ability of personnel to program moves, additions, and changes without incurring vendor maintenance expenses.

Quantitative Benefits. The upgraded systems in the Thurgood Marshall Federal Judiciary Building and 20 courts will yield an annual cost avoidance of about \$1.5 million. Estimates on additional cost avoidances for future upgrades are not currently available.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$1.4	\$1.4	\$1.5	\$1.5	\$1.5

Qualitative Benefits. The new systems provide a host of important modern technological features including voice mail, teleconferencing, an automated response system, and paging capabilities. Further, the public will experience fewer busy signals, better access to appropriate court staff, and simplified procedures.

REDUCTION IN ADMINISTRATIVE OFFICE PERSONAL COMPUTER MAINTENANCE COSTS

The Judiciary implemented an ongoing hardware inventory management and control process for all automation equipment at the Administrative Office of the U.S. Courts. All equipment was identified, inventoried, and bar-coded and the information was entered into a database. The process ensures that equipment is replaced on an appropriate cyclical schedule and that old, obsolete equipment is removed from maintenance and disposed of properly.

Quantitative Benefits. Because of the more controlled inventory system, fiscal year 1999 maintenance costs were reduced by half, from about \$110,000 to \$51,000.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.05	<i>Additional savings expected but currently unknown.</i>			

Qualitative Benefits. The new process allows for more effective management of computer hardware inventories.

INTEGRATED LIBRARY SYSTEM

The Integrated Library System (ILS) is a suite of interrelated software programs that automate specific library functions based on a single bibliographic database. The system was partially implemented in fiscal year 1998. At that time, the acquisitions, cataloging, and reporting modules were implemented, enabling the delegation of lawbook purchasing authority to each circuit librarian. The system's remaining modules, including serials control, circulation functions, and the web browser online catalog, which provides judges and other court users system access from their desktop computers, were implemented in fiscal year 1999.

Quantitative Benefits. The ILS will enhance the productivity of court library staff and improve library operations generally through the automated and online integration of various library tasks, such as procurement, funds management, inventory maintenance, and circulation.

Qualitative Benefits. The ILS offers a more reliable system for procuring lawbooks and maintaining inventories; provides complete, consistent, and reliable book inventory and financial data; facilitates better management and accounting of annual spending on lawbooks; enables librarians to procure lawbooks at the local level; and, improves judges' access to legal research information in the courts.

COURTROOM TECHNOLOGIES

Exploring the use of technology to improve the quality and efficiency of certain aspects of courtroom proceedings continues to be a major Judiciary initiative. In March 1999, the Judiciary formally endorsed the use of specific technologies in courtroom proceedings. The Judiciary determined that, subject to funding availability and implementation priorities, these capabilities should be included in courtrooms as they undergo construction or major renovation, as well as retrofitted into existing courtrooms as appropriate. The following discusses two courtroom technologies: video evidence presentation and videoconferencing systems.

Video-evidence Presentation Technologies. Video-evidence presentation technologies provide a means to present evidence electronically and simultaneously to everyone in the courtroom, practically eliminating the need for documents and objects to be passed to each trial participant for examination. These technologies are useful in a variety of proceedings including jury trials, bench trials, and evidentiary hearings. Many judges who have used the technologies believe it can facilitate trial management, reduce trial time and associated costs, and improve fact-finding and jury understanding.

Many kinds of proceedings conducted by district, magistrate, and bankruptcy judges lend themselves to video evidence presentation technologies for the display of exhibits. Documents, photographs, or other items are placed in front of a camera, which transmits the image to monitors that may be placed at the judge's bench, jury box, witness stand, counsel tables, and public seating area. Typically, an electronic pen is available for the attorney or witness to highlight or annotate portions of the image or to create exhibits. A video cassette recorder may be connected to enable recorded testimony or other videotaped sequences to be transmitted to the monitors. Projected images may be printed for the record. Since appellate courts do not hold evidentiary hearings, video evidence presentation equipment does not appear to be a current requirement in appellate courtrooms.

Videoconferencing. Videoconferencing provides live, two-way audio and video transmission between a court and a remote site, such as a divisional place of holding court or a prison, and offers opportunities to conduct certain court proceedings without having all participants present in a single courtroom. Videoconferencing has grown considerably in the past decade and now links many federal courts with divisional places of holding court, prisons, and other remote locations. The U.S. Attorneys' offices, the U.S. Marshals Service, and the Federal Bureau of Prisons have conducted various videoconferencing initiatives in cooperation with some federal court programs.

In appellate courts, videoconferencing can allow attorneys and parties to save the time they might spend traveling to various proceedings, such as oral arguments and settlement conferences. Several appellate courts already have begun giving attorneys the option of providing oral arguments via videoconferencing. This has been successful and has encouraged greater use of the technology.

In district courts, videoconferencing can be useful in providing live testimony or oral argument from remote locations in a variety of proceedings, such as pretrial proceedings (including conferences and hearings in certain prisoner cases) and trials (to the extent allowed by law). In some circuits where motions proceedings now are handled routinely by teleconferencing, videoconferencing may offer distinct advan-

tages. Although videoconferencing is used in some state and local courts to conduct all or part of various criminal proceedings, in the federal courts the use of videoconferencing to conduct certain types of criminal proceedings, such as arraignments and sentencing hearings, is the subject of evolving case law. Some federal courts are using videoconferencing, with consent of the parties, for these types of proceedings. Videoconferencing also is being used broadly for civil matters.

In the bankruptcy courts, the use of videoconferencing for non-trial proceedings can offer cost savings and efficiencies particularly in view of the numerous hearings required under bankruptcy law. Currently, several bankruptcy courts routinely use videoconferencing to conduct evidentiary and non-evidentiary proceedings between remote locations, saving travel time and allowing hearings to be scheduled more promptly and frequently in locations without a resident bankruptcy judge. For reasons similar to those applicable to appellate courts, the use of videoconferencing also may be appropriate to proceedings before Bankruptcy Appellate Panels.

Quantitative Benefits. Preliminary survey data show that courtroom technologies do produce efficiencies for the Judiciary, attorneys, and U.S. Marshals, but the impact is difficult to quantify. Since each case is different and the judges' and attorneys' use of the technologies varies, determining the financial benefits would be a time-consuming process; heretofore, such time has not been invested. In the future, after more courtrooms have been equipped and the Judiciary gains more experience with the technology, the Judiciary plans to conduct a usage analysis.

Qualitative Benefits. In June 1998, an assessment was completed of the applicability of video evidence presentation, videoconferencing, and other technologies. The study confirmed earlier views that technology in the courtroom can facilitate case management and decision making, reduce trial time and litigation costs, and improve the quality of evidence presentation, fact-finding, jury attentiveness and understanding, and access to court proceedings. Although the universe of data was small and much of it generated by those enthusiastic about the technologies, the impact of the technologies nevertheless appears very positive. A separate study, conducted in 1995, found that videoconferencing saved travel costs and reduced non-productive travel time in courts using the technology for prisoner pretrial civil rights hearings. Further, courts report it allows litigants increased access to judges and improves flexibility in scheduling meetings between judges and litigants. Also, several courts have reported that one benefit of using videoconferencing is a decreased security risk associated with the transportation of incarcerated litigants. In addition, videoconferencing can improve service to the public by allowing the court to hold proceedings without attorneys or parties traveling to the court.

VIDEOCONFERENCING TO CONDUCT ADMINISTRATIVE MEETINGS

In addition to use in the courtroom, the Judiciary is increasing its use of videoconferencing for administrative activities. Examples include job interviews, meeting presentations, vendor briefings, routine project and program status updates, and Judicial Conference Committee meetings. Videoconferencing saves travel costs and eliminates non-productive travel time. For example, many courts use videoconferencing to facilitate management and administrative operations at remote locations and divisions, saving staff time and travel costs. Further, it can provide a more effective means of accomplishing long-distance communication than otherwise would be conducted via teleconferencing. In addition, since the technology is particularly well-suited for training, the Judiciary increasingly is using this medium for its learning programs. These efforts are discussed in the distance learning section on page 18.

Quantitative Benefits. Using videoconferencing for administrative work can reduce travel costs. Further, it generates efficiencies since staff does not have to spend time away from the office traveling.

Qualitative Benefits. Videoconferencing facilitates the transaction of business since it often may be easier to convene participants for a videoconference than a face-to-face meeting requiring travel.

EXPANDED JUDICIARY USE OF THE INTERNET AND INTRANET

The Judiciary continues to make increased use of the Internet and its own Intranet, the J-Net. Now, all court units have Internet access and are able to establish their own web sites. More than 140 court units publish some type of information on the Judiciary's Intranet for internal Judiciary use, and over 100 court units make available information for the public via the Internet. For example, courts post such things as filing information, local rules, jury instructions, judicial opinions, motion calendars, and a host of other items. Some have provided links to other federal web sites and resources. Probation and pretrial services offices use the Internet to research defendant histories and investigate cases. The Judiciary also makes available to the public on the Internet many national publications. Internally, the Judiciary widely uses the J-Net for posting policies, procedures, manuals, publications, and other information. For example, the Judiciary established a procurement home page on the J-Net to streamline procurement practices and to ensure court procurement personnel have continuous access to the most up-to-date information. The home

page includes standardized contract language and forms, frequently asked questions, and other procurement topics.

Quantitative Benefits. Although it is difficult to quantify the savings from Internet and Intranet use, many courts have reported time savings and reductions in printing, mailing, and distribution costs because they dispense less information. Further, courts report spending less time conducting research for procurement and other activities. They also note saving staff time due to reductions in the number of phone inquiries regarding office hours, directions to the courthouse, or other matters. The Judiciary also realizes efficiencies by obtaining comments and feedback on proposed local rules through the Internet. In addition, the Judiciary reduces paper, printing, postage, and storage needs by limiting the number of hard-copy publications, manuals, and other documents.

Qualitative Benefits. Internet and Intranet use increases data reliability and timeliness, produces more satisfied customers, and offers the public and Judiciary users easier access to information.

IMPLEMENTATION OF NEW MJSTAR MODULE

MJSTAR (Magistrate Judge Statistics Through Automated Records) is a project intended to improve the collection of magistrate judge statistics. One portion of the MJSTAR project, which enables centralized collection of detailed data on petty offense cases disposed of by each magistrate judge through the Judiciary's Central Violations Bureau (CVB) in San Antonio, Texas, was implemented in June 1999. Other MJSTAR requirements will be met through the Case Management/Electronic Case Files System described on page 34.

Quantitative Benefits. Implementation of the CVB system module saves considerable data entry time, producing personnel efficiencies of over \$100,000 annually in fiscal year 2000 and beyond. Time previously spent on data entry is being redirected to higher priority activities.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
—	\$0.10	\$0.10	\$0.10	\$0.11

Qualitative Benefits. The CVB system module improves significantly the quality of statistical data collected on petty offense cases disposed of by magistrate judges.

It ensures the consistency and reliability of statistical information by minimizing manual data entry and standardizing data collection methods.

IMPLEMENTATION OF THE BANKRUPTCY NOTICING CENTER FOLLOW-ON CONTRACT

Fiscal year 1999 was the Judiciary's first full year of operations under a follow-on contract for the Bankruptcy Noticing Center (BNC). The BNC electronically retrieves data from participating courts' case management systems and prints, addresses, batches, and mails paper notices to attorneys, creditors, and other interested parties at a fraction of the time and cost required to produce manually the notices. The BNC generated about 72 million notices in fiscal year 1999. The new contract expands services provided to the courts in support of the noticing function and reduces costs through a series of price reductions over the 10-year life of the contract.

Quantitative Benefits. The new contract generated cost avoidances of over \$700,000 in fiscal year 1999. Projected cost avoidances for fiscal years 2000 through 2003 total \$5.5 million, subject to the actual number of bankruptcy filings and associated noticing requirements.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.77	\$1.1	\$1.1	\$1.5	\$1.8

Qualitative Benefits. Besides saving the Judiciary money, the new contract increases production capacity by adding a second facility in Utah for notices sent to recipients in the western part of the nation. It also provides a complete backup for the original eastern production facility in Maryland. In addition, the new contract offers the capability of printing judge or clerk signatures and court logos on the notices; accommodates additional types of file formats; and provides more extensive support services, including a web site allowing users to run reports, reorder notices, and view training materials.

ESTABLISHMENT OF PRODUCTIVITY IMPROVEMENT EXCHANGE WEB SITE

In fiscal year 1999, the Judiciary established a Productivity Improvement Web Site. Available nationwide, the web site provides an opportunity for courts to share initiatives they have implemented to save money, improve productivity, and in-

crease efficiency or effectiveness. Courts describe their initiatives, explain the resulting benefits, and offer a contact name for questions. As of December 1999, the web site included about 380 items. The appendix provides illustrative examples of the types of efforts courts have initiated.

Quantitative Benefits. Many courts have quantified the benefits associated with their initiatives and posted them on the web site.

Qualitative Benefits. The web site identifies qualitative improvements associated with each initiative to assist other courts that might consider implementing similar efforts.

DEVELOPMENT OF FAIR EMPLOYMENT PRACTICES SYSTEM

The Judiciary began development in fiscal year 1999 of an automated Fair Employment Practices System. The software will be used to develop reports on fair employment practices and employment dispute resolution (EDR). Produced primarily in-house, the software will reduce significantly the time and expense associated with gathering, entering, and analyzing demographic and EDR statistical data.

Quantitative Benefits. The Judiciary expects savings and cost avoidances of about \$100,000 annually. This includes personnel efficiencies as staff reduce the time spent on data gathering and analysis. Further, it includes cost avoidances associated with eliminating the need to pay outside contractors to convert and load data e-mailed from the courts to the Administrative Office of the U.S. Courts.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
—	—	\$0.09	\$0.10	\$0.10

Qualitative Benefits. In addition to eliminating the costly and time-consuming task of gathering data manually from the courts, the new system will improve information reliability. Further, it will provide easier access to EDR information and allow for ad hoc data queries.

ESTABLISHMENT OF COURT INTERPRETER DATABASE

The Judiciary implemented in fiscal year 1999 a National Court Interpreter Database, which contains contact information for interpreters and classifies inter-

preters by qualification criteria, language, and state. This clearinghouse assists the courts in locating court interpreters speaking a multitude of languages. In the past, courts have found it difficult and time consuming to locate interpreters, especially in rare languages. During fiscal year 1999, over 217,000 court events required the use of an interpreter.

Quantitative Benefits. The Judiciary expects to achieve personnel efficiencies through a reduction in time spent locating interpreters. The impact has not been quantified, however, since the system is new.

Qualitative Benefits. The database allows courts to obtain certified or otherwise qualified interpreters in a more timely fashion. Further, it identifies the level of qualification of interpreters and helps courts obtain interpreters who have been used by other courts, ensuring a greater level of quality. The database also helps locate interpreters for less common languages, such as Samoan, Cantonese, Czech, Kurdish, Vietnamese, and others, which are generally hard to find.

IMPLEMENTATION OF TELEPHONE INTERPRETING PROGRAM

For situations in which it is not possible or cost effective to use on-site court interpreters, the Judiciary established the Telephone Interpreting Program (TIP), which provides interpreter services from remote locations by telephone. The Judiciary uses TIP in short proceedings such as pretrial hearings, initial appearances, arraignments, motion hearings, and probation and pretrial services interviews. The services are provided primarily by staff interpreters in four courts who make themselves available by telephone when their employing court does not require their services. In fiscal year 1999, 12 districts used TIP in over 1,000 hearings and 250 other events. The Judiciary plans to expand use of TIP to more districts in future years.

Quantitative Benefits. Fiscal year 1999 costs for on-site services ranged from \$65 to \$135 for a half-day, plus travel costs if the interpreter is not local. Because telephone interpreting generally is provided by an interpreter already scheduled to be at the host court, the cost of providing telephone interpreting is minimal, about \$29 per event. Savings realized in fiscal year 1999 were not tracked, but likely were significant. Actual amounts depend on the rate the on-site interpreter would have charged, the need for the interpreter to have traveled, and the actual length of the interpreting event. In the future, the Judiciary will begin tracking program savings. TIP also avoids payment of cancellation fees because no fee is paid if the interpreter, at the last minute, is not needed; there often are instances when an inter-

preter travels for a day only to find that the court matter is resolved within minutes, wasting time and money. TIP also produces some personnel efficiencies by reducing time spent locating interpreters. Savings will increase in future years since the costs of interpreting services and the need for interpreters are expected to rise.

Qualitative Benefits. TIP offers several advantages to user courts. First, in emergencies, it is usually easier to arrange services through TIP rather than arranging for an on-site interpreter. Second, TIP provides an excellent source for less common languages, such as Samoan, Cantonese, Czech, Kurdish, Vietnamese, and others, which often are almost impossible to supply in certain districts. Third, TIP can improve the quality of the less common language interpreting services, which sometimes are supplied by individuals with less interpreting experience than the more common ones. This is accomplished by having a certified staff interpreter provide assistance by monitoring both ends of the proceeding to help the court avoid getting ahead of the interpreter. Lastly, anecdotal evidence shows that customer satisfaction with TIP is high, finding it useful, expedient, and high quality.

EXPANDED USE OF HAND-HELD DRUG TESTING DEVICES

The Judiciary is expanding its use of hand-held drug testing devices, which provide a more cost-effective way for probation officers to detect illicit drug use of persons under supervision. The devices detect illicit use in less than 10 minutes, far less than the 3-4 days involved with the traditional method of mailing specimens to an off-site lab for analysis. Moreover, each test costs about \$3, compared to \$8.40 to send and test a specimen at an off-site lab. Accuracy rates for both testing methods are comparable.

In fiscal year 1994, about 40 percent of the districts used the hand-held devices. In fiscal year 1999, the Judiciary expanded its rate of use to 75 percent. By fiscal year 2003, the Judiciary expects 95 percent of districts to use the devices.

Quantitative Benefits. Annual savings are expected to grow from about \$810,000 in fiscal year 1999 to almost \$2 million by fiscal year 2003 as the number of officers and districts using these devices rises. Not included in these estimates are possible additional savings in fiscal year 2001 and beyond when two new, potentially more cost-effective, test devices become available.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.81	\$1.0	\$1.5	\$1.7	\$1.9

Qualitative Benefits. Besides offering considerable savings, the hand-held tests increase community safety by enabling probation officers to address an offender's illicit drug use within minutes rather than days.

Defender Services

IMPLEMENTATION OF COST MANAGEMENT INITIATIVES IN CAPITAL HABEAS CORPUS CASES

The Judiciary is continuing its efforts to manage better the time and money spent on capital habeas corpus cases. Due to their complexity, these cases can become quite costly. The Judiciary is using several tools. First, courts are preparing proposed defense litigation budgets at the start of representations to help anticipate and contain costs. An automated case budget and management program was developed for judges' use to facilitate the development of these budgets and judges are receiving training on case budgeting and management. Second, courts are using techniques commonly used in complex civil litigation, such as early judicial supervision and case schedules and conferences, to promote fair and efficient management of these cases. Third, revised compensation request forms are being used that provide judges with a complete payment history on each case to improve their ability to review and approve panel attorney vouchers. Fourth, national training and research tools are being developed to reduce the time required, and compensation sought, by counsel appointed in capital habeas corpus cases. Fifth, efforts are underway to enhance communication and encourage cooperation among the participants in capital litigation. The Judiciary has incorporated these case budgeting and management approaches in its official procedures guide.

The Ninth Circuit has placed particular emphasis on these and other cost containment efforts since its capital habeas corpus case costs historically have been relatively high. With the help of these efforts, the Ninth Circuit has shown significant progress in lowering its capital habeas corpus case costs. From fiscal years 1996 to 1999, it lowered its average annual cost per capital habeas corpus case by 38 percent, from \$76,506 to \$47,675.

Quantitative Benefits. It is not possible to estimate the future level of savings that may be achieved nationwide, and in the Ninth Circuit particularly, from these efforts. Future reports will include information on past years' savings, to the extent it can be quantified.

Qualitative Benefits. These efforts will result in swifter processing of capital habeas cases, more timely review and payment of panel attorney vouchers in these

cases, and increased public satisfaction and confidence about the Judiciary's ability to handle capital habeas proceedings in a timely and cost-beneficial manner.

USE OF NATIONAL CONTRACTS TO REDUCE DEFENDER OFFICE SOFTWARE COSTS

The Judiciary is avoiding annual costs by negotiating national contracts for software needed by federal defender organizations. The alternative would be for federal defender organizations to negotiate individual contracts, which would be much more costly.

Quantitative Benefits. The Judiciary avoided costs of \$350,000 in fiscal year 1999 and expects the same in fiscal year 2000 and beyond.

<u>\$ in Millions</u>				
<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.35	\$0.35	\$0.35	\$0.35	\$0.35

Qualitative Benefits. The national contracts offer a higher level of technical support than would be provided by individual software maintenance agreements at the local level.

Court Security

DEVELOPMENT OF MANUAL FOR STANDARDIZED SECURITY SYSTEM INSTALLATION

The Judiciary is working with the U.S. Marshals Service to produce a manual to ensure that the Judiciary's security systems and equipment are designed and installed in a consistent manner. A draft manual was completed in fiscal year 1999; the final version is expected in fiscal year 2000.

Each year, the Judiciary provides the Marshals Service with funding for the purchase, installation, and maintenance of security systems and equipment in federal courthouses and multi-tenant facilities housing court operations. This includes, but is not limited to, exterior and interior surveillance cameras, access control systems on chambers doors, interior alarm systems, and central monitoring stations. The Marshals Service uses a national security equipment contractor for this purpose who, on occasion, will use the services of subcontractors to do portions of the installation work. Prior to this, no consolidated guidelines were available to the Marshals Service

or the contractor on how to install this equipment in the most effective and efficient manner, resulting in variations in design, installation, and cost.

Quantitative Benefits. The Judiciary expects use of the manual to impact security installation costs. Application of the type of information to be included in the manual already has avoided costs of about \$450,000 in three specific instances. First, elimination of an unnecessary conduit for security systems in the new courthouse project in Portland, Oregon, avoided about \$200,000 in costs. Second, elimination of the unnecessary replacement of 20 alarm systems in the new Los Angeles, California, facility avoided costs of about \$80,000. Third, developing an alternative elevator control plan for the Spokane, Washington, building reduced the number of card access readers by over half, from 54 to 20, avoiding costs of about \$170,000.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.45	<i>Additional cost avoidances expected but not yet known.</i>			

Qualitative Benefits. Use of the manual by the Marshals Service and contractors should ensure that future security installations in new and renovated courthouses are accomplished in a consistent and efficient manner. This will eliminate the need to fix problems that result from improper installation practices and ensure that all of the security systems and equipment installed in a federal courthouse or multi-tenant facility will operate as expected. It also will enhance the ability of technicians to perform routine equipment maintenance because all systems and equipment will be installed in accordance with the guidelines. The manual also will be helpful in situations where local contractors or subcontractors attempt to save money by circumventing generally accepted installation practices or underbid on projects due to a lack of knowledge of what is actually required. In these situations, however, the manual could increase the cost of a project.

Education and Training

EXPANSION OF DISTANCE LEARNING PROGRAM

The Judiciary continues to expand its distance learning program. Although some traditional training and instructional seminars always will be necessary, distance learning brings training and information to courts nationwide using satellite broadcasts, videoconferences, videotapes, computer-based training, CD-ROMs, and other curricular packages for in-court adaptation and use.

Satellite Broadcasts. The Judiciary offers satellite broadcasts to courts through its Federal Judicial Television Network (FJTN). Since June 1998, the Judiciary has expanded its FJTN viewing base from 50 to 230 court sites, now reaching nearly 90 percent of the Judiciary's personnel. In fiscal year 2000, the Judiciary plans to equip an additional 25 sites to receive FJTN.

FJTN offers live and pre-recorded educational and training programs. The Judiciary broadcasts Monday through Friday for an average of about 30 hours weekly. The Judiciary offered 115 different programs in fiscal year 1999. Examples of live programs include segments on year 2000 compliance efforts, court personnel travel regulations, procurement and facilities management, advances in drug abuse and addiction research, and alternative dispute resolution. These programs allow viewers to talk to the instructor and to be heard by the audience. Taped programs include re-broadcasts of live programs, programs that are intended for large audiences, and other programs where interactivity is not feasible. Examples include the annual review of the decisions of the Supreme Court, reports of the semi-annual meetings of the Judicial Conference, using WordPerfect, using the Internet and Intranet, special problems in applying the rules of evidence, resolving problems associated with the transition to new credit cards for travel, preventing discrimination against people with disabilities, and electronic records management.

The Judiciary is working to create more FJTN programming, including converting more courses to a distance format. Planned topics include guidelines and sentencing issues, managing death penalty cases, science issues as they arise in patent and tort cases, principles of appropriations law, statistical reporting procedures, and an overview of the court personnel system, among others.

Quantitative Benefits. Satellite broadcasting of training and informational programming is expected to avoid significant travel costs in the coming years. In fiscal year 1999, FJTN's first full-year of operation, it is estimated that nearly 10,500 participants viewed programming.¹ Based on the average length of an FJTN program, this translates to 13,000 hours of training being viewed in fiscal year 1999. If the Judiciary offered this programming using traditional on-site methods, travel costs for participants and additional staff to deliver or support the programs would have been about \$1 million. Over the past several years, the Judiciary has reduced its

¹ The estimate of 10,500 participants does not mean that 10,500 different judicial employees viewed programming on FJTN in fiscal year 1999 as some employees may have viewed more than one program. Moreover, the estimate of 10,500 participants may be significantly understated. It is based on the number of course registration and/or evaluations received. Additional employees may have viewed programming but not registered or submitted an evaluation. The Judiciary is implementing a sample-based viewer measurement procedure to provide more accurate viewership data.

travel budgets by about \$3 million, partly in anticipation of cost avoidances that would be generated as a result of the shift to satellite broadcasting.

In addition to travel cost avoidances, use of FJTN produces significant personnel efficiencies since judicial employees view programs at their home court and do not spend time in unproductive travel status.

It should be noted that, while the Judiciary is striving to be fiscally responsible and develop less expensive ways to train its employees, the General Services Administration is contemplating charging the Judiciary rent for placing satellite dishes on courthouse rooftops, which would reduce the Judiciary's savings.

Qualitative Benefits. Delivering educational and training programs through FJTN offers important qualitative benefits. For example, the Judiciary can expand its curriculum to include more courses and topics without increasing spending. Similarly, the Judiciary can offer training to more people without spending increases. In fact, FJTN allows training that would not be feasible to present through traditional means, such as an annual orientation program for federal judges' law clerks. Further, the scheduling of training is much easier because participants do not have to travel. Also, FJTN use eliminates the burden of travel on employees, as well as the burden to managers of having their staff away from the office. Finally, because of the potential for large, interactive audiences, FJTN may enhance the efficiency of the courts by providing Judiciary employees a medium for the sharing of information. The court population has been extremely receptive to the use of distance learning through satellite broadcasting.

Videoconferences. In addition to the FJTN, the Judiciary is beginning to use videoconferencing instead of traditional on-site methods for developing training. In fiscal year 1999, the Judiciary used videoconferencing to plan and develop several training courses. In fiscal year 2000 and beyond, the Judiciary plans to expand its use of videoconferencing for both developing and delivering training.

Quantitative Benefits. Like satellite broadcasting, this medium is significantly less costly than traditional training, primarily because it eliminates travel.

Qualitative Benefits. Videoconferencing offers the same types of qualitative advantages as FJTN, discussed above. In addition, it offers the important benefit of two-way video; FJTN satellite broadcasts offer only one-way video (with two-way audio.)

Videotapes, Computer-Based Training, and CD-ROMs. The Judiciary added three video and computer-based training programs to its curriculum in fiscal year

1999. First was a six-tape, self-paced video training program covering basic-to-advanced UNIX operating system topics. Second was a self-paced computer-based training program on the basic database design concepts used in the Judiciary's Integrated Case Management System. Third, the Judiciary produced a resource manual for federal defenders on federal capital habeas corpus law on CD-ROM instead of hard copy. The Judiciary plans to increase its use of CD-ROM technology for education and training purposes in fiscal year 2000 and beyond.

Quantitative Benefits. The video and computer-based training programs produce combined travel cost avoidances of about \$160,000 annually. In addition, the Judiciary realizes about \$45,000 annually in personnel efficiencies since participants do not spend time in unproductive travel status. Producing the capital habeas corpus manual on CD-ROM saved about \$68,000 in production and shipping costs in fiscal year 1999.

\$ In Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.27	\$0.20	\$0.21	\$0.21	\$0.21

Qualitative Benefits. Qualitative benefits for the video and computer-based training programs are similar to those described above for other distance learning programs since employees do not have to travel to receive training. In addition, these training mediums allow participants to learn at their own work-station and re-run programs anytime to review important information. Using CD-ROM technology for the capital habeas corpus manual allows for easier search and reproduction capabilities.

REVISIONS TO PROCUREMENT TRAINING PROGRAM

The Judiciary modified its training program for court procurement personnel by holding it in Washington, D.C. In fiscal year 1999, approximately 360 employees attended. The training previously was conducted at off-site facilities requiring both Administrative Office of the U.S. Courts and court staff to travel to the meeting location.

Quantitative Benefits. The revised training program avoids travel costs and produces personnel efficiencies, a combined total of about \$30,000 annually, since Administrative Office staff are no longer traveling.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.06	\$0.03	\$0.03	\$0.03	\$0.03

Qualitative Benefits. Relocating the training allows a broader, consistent group of trainers from the Administrative Office, enhancing the quality of the training. Further, since Administrative Office staff do not have to travel, scheduling is easier, eliminating backlogs of court staff requiring training.

Judicial Officers

RECOMMENDATIONS TO LEAVE

ARTICLE III JUDGESHIP VACANCIES UNFILLED

In fiscal year 1999, the Judiciary added a new element to its survey process for reviewing and evaluating judgeship needs in district and appellate courts. Conducted biennially, the surveys now examine situations where it may be appropriate to recommend that judgeships be eliminated or that judgeship vacancies remain unfilled, in addition to identifying where new judgeships are needed.

As a result of the 1999 survey, the Judiciary recommended to the President and congressional leaders not filling a single existing or future district judgeship vacancy in each of the following courts: District of Columbia, Southern District of West Virginia, District of Delaware, and District of Wyoming.

Quantitative Benefits. Among the district courts where the Judiciary recommended not filling a vacancy, only the District of Columbia currently has a vacant judgeship. Budget savings will result from that vacancy only if the President and the Senate follow the Judiciary's recommendation to leave the judgeship unfilled. For the remaining courts, savings will result under the same circumstances only after a vacancy occurs. Any savings also may be temporary, since the Judiciary will review the workload situations in these courts again as part of its 2001 survey to determine if workload at the time justifies recommending that any vacancies be filled.

The Judiciary saved almost \$200,000 in salary, benefit, and operating costs in fiscal year 1999 due to the District of Columbia vacancy, which began in May of that year. If a vacant judgeship were to remain unfilled in all four courts recommended by the Judiciary throughout fiscal years 2000 and 2001, the Judiciary would save \$2 million each year.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$0.20	\$1.9	\$2.0	<i>The potential for savings in these years depends on survey results.</i>	

Qualitative Benefits. By including in its biennial surveys a review of continuing as well as additional Article III judgeship needs, the Judiciary has established a more balanced process for identifying the number and location of judgeships needed to conduct the business of the federal courts.

**DECISIONS TO LEAVE BANKRUPTCY
JUDGESHIP VACANCIES UNFILLED**

The Judiciary also has a biennial process for evaluating bankruptcy judgeship needs. The process ensures that additional bankruptcy judgeships are requested only when justified and vacant judgeships are filled only when required. As a result of this process, to contain costs, the Judiciary has advised circuits to consider not filling vacancies that currently exist or may occur in some districts due to resignation, retirement, removal, or death. Based in part on these recommendations, seven bankruptcy judgeships remained vacant throughout fiscal year 1999.

Quantitative Benefits. The Judiciary is saving about \$2.8 million annually by maintaining these seven vacancies. The savings may be temporary, since the Judiciary will review workload in these courts on a regular basis and may determine that a judgeship previously held vacant should be filled. It is difficult to predict whether the Judiciary will realize budget savings beyond fiscal year 2001 due to the potential for significant workload changes.

\$ in Millions

<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>
\$2.7	\$2.8	\$2.9	<i>The potential savings in these years depends on workload changes.</i>	

Qualitative Benefits. The bankruptcy judgeship survey process contributes to the Judiciary's effective and efficient system for managing judicial resources, ensuring that it fills bankruptcy judgeship vacancies only when justified by workload.

REVIEW OF MAGISTRATE JUDGE POSITIONS

The Judiciary also conducts regular reviews of magistrate judge positions, which are done in every court each four to five years. The Judiciary determines whether existing magistrate judge positions should be continued or eliminated using the same factors considered to decide whether new magistrate judge positions should be authorized. These factors include overall workload of the court and comparative need, effective use of magistrate judges, and available work for assignment to magistrate judges. In addition, when an existing full-time magistrate judge position becomes vacant, the Judiciary conducts a careful review to determine if the position should be refilled.

Qualitative Benefits. These survey review processes contribute to the Judiciary's effective and efficient system for managing judicial resources. They ensure that new positions are approved only when fully justified, that positions are eliminated when no longer needed, and that vacancies are filled only when warranted.

ACTIONS ONGOING IN OR PLANNED FOR FISCAL YEAR 2000

The following pages provide examples of efforts ongoing in or planned for fiscal year 2000. Information on benefits is only available for a few initiatives at this time, since many initiatives are in the early stages of development.

Judicial Officers and Court Staff

STUDY OF JUDICIAL OFFICER RESOURCES

In September 1999, the Judiciary completed an 11-month study of the use of judicial officer resources. Conducted by a working group of judges, the purpose was to identify improvements in the management of available judicial officer resources that might mitigate future requests for additional Article III judgeships. The working group focused on issues relating to effective use of active Article III judges, senior judges, magistrate judges, and visiting judges. Its recommendations contemplate greater exchange of information among courts and chief judges, processes that promote more effective use of visiting judges, mechanisms for providing assistance to courts with particularly high workloads, and implementation of tools to improve tracking of visiting judge use.

The working group made clear that its recommendations, if implemented, might enhance the Judiciary's ability to handle its increasing caseload but would be unlikely to obviate the need for additional judgeships. The recommendations were referred to relevant committees of the Judicial Conference to consider appropriate steps for implementation. Those committees are beginning to address that task, which will be pursued during fiscal year 2000.

REVIEW OF STAFFING ALLOCATION FORMULAS

In fiscal year 2000, the Judiciary will complete its revision of the formulas used to allocate staffing to district clerks', bankruptcy clerks', probation and pretrial services, and circuit and appellate offices. The revised formulas will reflect new work requirements, the impact of automation systems, and changes in work processes that have been implemented in recent years.

The process involved the development of complete work-center descriptions of the functions performed by each of the four types of court units, followed by on-site interviews at a statistically valid sample of court units to collect data on the time required to perform the identified functions. The Judiciary plans to use the formulas to allocate staffing resources for fiscal year 2001 and to formulate the fiscal year 2002 budget. After the new formulas are completed, work changes and resource requirements will be studied on an ongoing basis so that the formulas can be revised regularly to reflect new work or operational improvements.

Court Security and Facilities

INDEPENDENT ASSESSMENT OF THE SPACE AND FACILITIES PROGRAM

In March 1999, the Judiciary contracted with independent consultants, Ernst & Young Kenneth Leventhal Real Estate Group (Ernst & Young), to conduct a comprehensive program and management assessment of its space and facilities program. The study's main purposes are to evaluate and develop recommendations on the effectiveness and efficiency of the space and facilities program. Ernst & Young will recommend strategies for achieving program objectives, improving processes, and containing costs. The study will address long-range planning processes; facilities management policies and business processes; courtroom use; U.S. court design guidelines, standards, and practices; organizational relationships, roles, and authorities; and funding and budget mechanisms.

A critical dimension of the study includes soliciting the views of all key stakeholders including congressional committees, the General Accounting Office, the Office of Management and Budget, and the General Services Administration, as well as judges, court executives, attorneys, the U.S. Marshals Service, and other courthouse users. A final report will be produced in fiscal year 2000.

INDEPENDENT ASSESSMENT OF THE COURT SECURITY PROGRAM

The Judiciary is undertaking an independent assessment of how security-related services are provided to the federal courts by the U.S. Marshals Service and the General Services Administration's Federal Protective Service, the two agencies charged with this responsibility. In light of the cost, growth and complexity of the Judiciary's security program and the overlapping responsibilities of the Marshals Service and Federal Protective Service in providing security services to the courts, the Judiciary determined that an independent comprehensive study is needed. The objective is to review the current security standards, policies, and procedures to determine if there are ways to provide adequate security in a more effective and efficient manner.

The Judiciary will use an outside security contractor to conduct the study. The contractor will meet with Judiciary, Marshals Service, and Federal Protective Service representatives, review pertinent reference materials, and conduct security assessments and interview court and Marshals Service personnel at a representative sampling of federal court facilities. Further, the contractor will look at interior and exterior physical security, after-hours and 24-hour security coverage, courtroom security, the court security officer program, and the need to conduct background investigations on Judiciary employees. The study also will review the feasibility of using a different approach to providing security guard services for court facilities.

The study, which will include recommendations and implementation strategies, will be completed in fiscal year 2001.

EVALUATION OF U.S. MARSHALS SERVICE APPLICATION OF THE COURT SECURITY OFFICER STAFFING FORMULA

The Judiciary began reviewing the Marshals Service application of the court security officer (CSO) staffing standards to determine if they are being implemented correctly. The Marshals Service determines the number of CSO positions to be allocated to each district based on a facility-by-facility application of a Judiciary-endorsed staffing formula. The staffing formula limits the assignment of CSO positions to full-time places of holding court with a judicial officer in residence and to visiting locations where court is held routinely two or more weeks a month. The Judiciary plans to review about 10 districts annually. The initial review of 10 districts determined that some districts were slightly over and some were under; in total, the districts could have qualified for about 11 more CSO positions.

Automation and Technology

INDEPENDENT STUDY OF THE JUDICIARY'S INFORMATION TECHNOLOGY PROGRAM

The Judiciary has awarded a contract to an outside expert to conduct an independent, comprehensive study of its information technology program. The study will examine the Judiciary's short- and long-range information technology needs and objectives and consider anticipated changes and enhancements in information technology in the marketplace. Further, it will explore how best to position the Judiciary's information technology program to take advantage of new technologies to meet current and future requirements. The study also will look at alternatives for organizing and managing resources to carry out the Judiciary's information technology program more effectively. It is possible that the study will yield recommendations for realizing efficiencies.

MIGRATION TO FRAME RELAY TECHNOLOGY

The Judiciary is beginning an 18-month process to convert its Data Communications Network (DCN), the communications infrastructure that provides the Judiciary's local and wide-area connectivity, from a leased line network to frame relay technology. Frame relay technology is an improved wide-area network architecture that will increase response time and throughput to the DCN. The current architecture required upgrading to accommodate increased use and to provide connectivity for new communications services. Frame relay technology best provides for the growing demands of the network, offering cost savings and improved network management.

Quantitative Benefits. Using frame relay technology will produce savings and cost avoidances of over \$1 million in fiscal year 2000, increasing to \$5.4 million in fiscal year 2001 and \$7.9 million annually in fiscal year 2002 and beyond. This is because using a frame relay arrangement from a telecommunications provider is cheaper than leasing lines. This includes eliminating the need for an on-site private contractor to manage the network since the telecommunications provider will offer this support. Further, eliminating the contractor will free Judiciary office space, eliminate costs of maintaining hardware and software in the network management office, and eliminate Judiciary staff time spent overseeing the contractor's activities and administering the vendor contract. In addition, although not quantified, implementation of a frame relay network will save substantial Judiciary staff hours; with the leased line network, a significant number of lines failed per month, resulting in

substantial downtime. Significant time was then dedicated to addressing line outages. With frame relay, there will be significantly less downtime for end users, and, as a result, less staff time dedicated to resolving line problems.

\$ in Millions

<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$1.0	\$5.4	\$7.9	\$7.9	\$7.9

Qualitative Benefits. Frame relay technology offers several benefits. First, it results in less network downtime. Second, the technology provides faster and more reliable access to Computer-Assisted Legal Research (CALR), the Internet, and other applications. Third, it is better able to accommodate new service requirements, such as Case Management/Electronic Case Files Systems and video/distance learning applications discussed earlier in this report. Fourth, the technology provides for improved performance on applications that require increased bandwidth by providing “bandwidth-on-demand” service.

EXPANSION OF PUBLIC ACCESS NETWORK

The Judiciary is expanding its Public Access Network to provide the general public with efficient and effective access to court information. The Public Access Network provides the public with easy online access to court records and other information via a network separate from the Judiciary’s private network (DCN), protecting in-house data from unauthorized access. This offers the public an alternative to the traditional dial-in service. The district court and bankruptcy court PACER (Public Access to Court Electronic Records) programs now are available for use on the network. Conversion is in process for the appellate and remaining bankruptcy court applications. Courts can elect to host web pages on the Public Access Network. Examples of information courts are posting include local rules, forms, filing instructions, and general public information.

Quantitative Benefits. Although cost-neutral for the Judiciary, the Public Access Network offers very significant savings to users. Accessing a three-page docket sheet using traditional dial-in PACER service costs \$1.80. Access to the same three-page docket sheet using the network’s Internet service will cost only \$0.35, less than 20 percent of the former cost.

Qualitative Benefits. The Public Access Network offers easier access and saves transportation and copying costs for the public. In addition, it allows courts to link

imaged documents (e.g., pleadings, motions, orders) to the docket sheets the public is accessing, which is not available with the current dial-in service.

OTHER IMPROVEMENTS TO AUTOMATION INFRASTRUCTURE

The Judiciary also has several smaller efforts underway to improve its automation infrastructure. These include consolidating online data storage, combining certain systems applications on a single server, and replacing its mainframe tape technology for backup and recovery with a high-capacity, high-performance tape subsystem.

Quantitative benefits. Although unquantified, all three efforts will yield modest personnel efficiencies due to a less complex operating environment. In addition, the Judiciary expects to avoid about \$100,000 annually in capital maintenance costs by switching to a single server and \$75,000 in fiscal year 2000 by eliminating the need to expand the lower-capacity tape infrastructure.

\$ in Millions

<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.18	\$0.10	\$0.11	\$0.11	\$0.11

Qualitative benefits. Consolidated online data storage will make data management easier, more flexible, and more reliable; allow a quicker transfer of data between platforms; and facilitate any subsequent storage upgrades. Also, the new backup and recovery system will increase reliability by reducing the frequency of manual intervention and process restarts, which had become frequent with the lower-capacity tape subsystem.

IMPLEMENTATION OF CRIMINAL JUSTICE ACT REPLACEMENT SYSTEM

The Judiciary is completing in fiscal year 2000 nationwide implementation of its new Criminal Justice Act Panel Attorney Payment System. This replaces an antiquated system for paying panel attorneys and other service providers with a modern system that meets federal financial management systems requirements, contains reliable system controls, and collects information needed to manage better the panel attorney program.

Quantitative Benefits. The extent to which efficiencies will result is unknown. In fiscal year 2001, after the courts have been operating the new system for about a

year, the Judiciary plans to assess the impact of the system on the amount of time court staff spend on panel attorney payment activities.

Qualitative Benefits. The Judiciary expects major quality improvements from this new system, primarily in the areas of data quality and reporting capabilities, both of which are essential to effective program management. Further, the system will improve internal controls dramatically, eliminating the need for extraneous processes to compensate for controls lacking in the old system. Also, since the new system will allow courts to produce their own reports, judges will have new tools to analyze the appropriateness of claims for compensation and expense reimbursement. The system also will capture, for the first time, information to allow analysis of costs by case type and by basic case characteristics, such as case disposition.

ESTABLISHMENT OF JURY MANAGEMENT SYSTEM

The Judiciary is in the midst of implementing a new Jury Management System (JMS). With 23 courts operational on the system at the end of December 1999, the Judiciary expects to complete nationwide implementation by December 2001. JMS is an automated software system that will streamline jury operations. It performs critical jury management and control functions including the maintenance of databases necessary for the random selection of prospective jurors for service, the daily administration of the jury process, and the production of data and statistical reports. Courts will have the ability to print and scan qualification questionnaires, print summonses, track jurors, provide financial calculations for juror payments, and develop and print reports.

Quantitative Benefits. The financial impact of the system has not been quantified, but the Judiciary expects to achieve savings in several areas. For example, personnel efficiencies will be realized through the automated generation of statistical reports, the elimination of manual processing of qualification questionnaires, the automated calculation of payment information for jurors, and the reduction of redundant data entry. Further, budget savings and cost avoidances will be realized by greatly reducing current and potential outsourcing services for the printing, scanning, and handling of qualification questionnaires, printing of summonses, and other services. Also, the costs of upgrading court in-house systems to year 2000 compliance was avoided since JMS replaced those local systems.

Qualitative Benefits. The Judiciary also expects many qualitative benefits. For example, better juror management through streamlined processing will enhance jurors' satisfaction with their service experience. Also, the electronic capturing of data

will reduce errors introduced through redundant data entry, thereby increasing data integrity. In addition, courts will have immediate access to race, sex, and ethnicity information in response to jury composition challenges. The system also uses an algorithm approved by the National Institute of Standards and Technology for all random selection, strengthening the integrity of the selection process.

DEVELOPMENT OF HUMAN RESOURCES MANAGEMENT INFORMATION SYSTEM

The Judiciary plans to begin implementation of its new Human Resources Management Information System in fiscal year 2000. This effort modernizes the Judiciary's current mainframe personnel/payroll systems and related work processes. The project also involves development of systems to track and report employee health benefit choices to carriers and to monitor the use of official personnel files. Further, it includes electronic versions of various standard forms used in human resources processing.

Quantitative Benefits. The Judiciary expects to realize significant personnel efficiencies. This will result because the new system will reduce staff time spent performing data entry, processing personnel actions, tracking manually certain types of data, and locating and disseminating information. Although currently unquantified, the system also will reduce the amount of printing, copying, postage, long distance calls, and faxes associated with processing personnel actions.

Qualitative Benefits. The system will provide more timely, accurate, and user-friendly records. Further, by improving access to personnel and payroll information and reports, it will facilitate responding to employee questions and support decision-making. The system also will enhance internal audit controls, allow standard operating procedures for managing payroll processes, and ensure the timely processing and accuracy of the payroll.

IMPLEMENTATION OF FINANCIAL ACCOUNTING SYSTEM FOR TOMORROW

The Judiciary is in the process of implementing nationwide a financial management system known as the Financial Accounting System for Tomorrow (FAS₄T). FAS₄T brings to the Judiciary a single financial accounting system that meets federal accounting standards and integrates with the Judiciary's central accounting system. It will produce significant administrative value by creating efficiencies that automate and streamline many financial recording and reporting activities.

Since October 1997, four test courts have been operating FAS₄T. An additional

four courts began operating FAS₄T in October 1999. Also, the Judiciary recently completed an assessment of its approach for implementing the system nationwide to ensure that it follows the most efficient and effective strategy possible.

Critical to maximizing the value of FAS₄T is the passage of legislation to appoint certifying officers within the Judiciary that would be accountable for payments made by disbursing officers. Because this accountability currently rests with the Judiciary's disbursing officers, administrative inefficiencies exist in the forms of duplicate voucher and payment reviews, unnecessary photocopying of documents, and other redundant paperwork. The legislation currently is pending in House and Senate bills.

Quantitative Benefits. After the system is fully operational in a number of courts, the Judiciary will assess its impact on the amount of staff time spent performing financial activities. Pre-FAS₄T data have been collected to use as a point of comparison with data to be collected in the future.

Qualitative Benefits. This modern financial system will improve consistency in financial data, produce timelier reporting, and enhance internal controls. A preliminary assessment of system operations in the test courts operating the system since October 1997 shows that the system provides definite improvements in the quality of financial management operations.

CREATION OF A VIRTUAL LAW LIBRARY

At the beginning of fiscal year 2000, the Judiciary began using a virtual law library. A virtual law library provides judges and other court employees with access through their personal computers to a variety of electronic research tools and databases. It provides, in one location, web access to comprehensive legal and general research sites such as the Indiana, Cornell, and Emory University law library sites; federal and state government information resources and agencies; various business, scientific, and general information resources; and, circuit library web sites and online catalogs. Further, it provides web browser access to Computer Assisted Legal Research services such as Westlaw and Lexis-Nexis. In addition, many of the circuit libraries available through the virtual law library have compiled their own web links to local court rules, state agencies, and other sites of interest to their local courts. In sum, the virtual law library provides users with an alternative to current hard-copy resources for meeting their research needs.

Quantitative Benefits. Although not quantified, the Judiciary expects to realize efficiencies and savings through increased judicial officer and staff productivity.

Qualitative Benefits. Virtual libraries have the potential to enhance the quality of research through improved research capabilities, an expanded resource base, broader access to information, and wider information delivery and packaging options. Further, the libraries increase the speed of locating information and ensure the researcher is using the most current version of materials.

IMPLEMENTATION OF CASE MANAGEMENT/ELECTRONIC CASE FILES SYSTEMS

The Judiciary has undertaken an initiative to modernize and expand the capabilities of its current electronic case management system, which rapidly is approaching obsolescence. Being developed for use in all courts nationwide, the replacement system will include both an improved and more efficient case management system (CM) and the capability (at individual court option) of using electronic case files and filing (ECF), including the ability to receive and file documents with the court over the Internet. Currently testing a bankruptcy prototype system in five courts and a district prototype in four courts, the Judiciary expects to complete testing and begin implementation of the new CM/ECF systems over the next several years.

PROBATION AND PRETRIAL SERVICES

INDEPENDENT ASSESSMENT OF PROBATION AND PRETRIAL SERVICES PROGRAM

The Judiciary is engaging the services of an outside contractor to conduct a comprehensive assessment of the probation and pretrial services system. The assessment will address a number of important issues raised by a confluence of increasing responsibilities, changing federal criminal populations, and constrained budgets. The broadest issue is whether there are ways to accomplish the system mission more effectively—or as effectively, but more efficiently—through changes in functions, policies, management systems, processes, organization, assignment of responsibilities, resources, operational approaches, statutes, or regulations.

The consultants will examine existing documentation, studies, and recommendations; analyze program trends and outcomes; and conduct interviews, on-site visits, and roundtable discussions with a broad base of relevant parties. This approach will combine the analytical, objective perspective of an independent consultant with the subject-matter and practical expertise of Judiciary personnel and other stakeholders.

EXPLORATION OF REMOTE SUPERVISION TECHNOLOGIES

The Judiciary continues its exploration of several remote technologies to assist with the supervision of defendants and offenders. These include technologies to detect alcohol use remotely in persons under supervision, to use automated telephone systems to verify an offender's location, and to use global positioning satellite technology to provide real-time continuous tracking of offenders. In fiscal year 1999, the Judiciary conducted an initial study on the potential uses, advantages, disadvantages, features, and costs of these technologies. Finding that they hold strong promise, the Judiciary implemented in fiscal year 1999 pilot tests of remote alcohol testing devices in 13 districts and automated telephone contact systems in six districts. In fiscal year 2000, the Judiciary will collect and disseminate additional information about the operation of automated telephone tracking and remote alcohol testing technologies, convene a panel to develop model procedures for pilot testing satellite tracking technologies, and continue exploring any emerging technologies and improvements to existing products.

Quantitative Benefits. The Judiciary expects to realize efficiency savings totaling about \$1.3 million in fiscal years 2000 through 2004. This will occur through the automation of routine supervision tasks, such as scheduled telephone calls to and from offenders, which will free officer time for other supervision activities. These technologies also provide a cost-effective supervision strategy for defendants and offenders who, for geographic, employment, medical, or other case-specific reasons, require more labor-intensive, officer-initiated contacts, with associated travel, to monitor restrictive and alcohol-use conditions of release. In addition, these technologies could produce government-wide budget savings to the extent that the closer supervision they offer encourages greater use of alternatives to incarceration. For example, every person placed on home confinement with alcohol testing in lieu of pretrial detention would save the government almost \$40 daily. This is based on an estimated fiscal year 2000 cost to the Judiciary of about \$21 per day, compared to a daily cost of about \$60 per day for the executive branch to house an individual in a pretrial detention facility.

\$ in Millions

<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.11	\$0.18	\$0.25	\$0.34	\$0.43

Qualitative Benefits. Remote supervision technologies enhance public safety by providing heightened monitoring of restrictive or substance abuse conditions of release for the higher risk population. In addition, the technologies allow officers to spend

less time conducting routine checks, increasing their availability to respond promptly to more pressing supervision situations.

Communication Efforts

ELECTRONIC DISSEMINATION OF INFORMATION

The Judiciary is implementing efforts to reduce postage and paper costs through the electronic distribution of materials. One initiative involves using e-mail to distribute official correspondence to chief judges, court unit executives, and other Judiciary personnel instead of sending hard copies of documents through the mail. Another effort involves posting on the Judiciary's Intranet vital statistical information that otherwise would be mailed to the courts. Still another involves the posting of important court information, such as forms, policies, and procedures, on locally developed web sites to reduce the need to mail documents to requesting parties.

Quantitative Benefits. Comprehensive estimates of paper and postage savings are not available, but the Judiciary expects to save at least \$20,000 annually through these efforts. In addition, efficiency savings will result since staff do not have to spend time processing mailings.

\$ in Millions

<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.02	\$0.02	\$0.02	\$0.02	\$0.02

Qualitative Benefits. Another important benefit, in addition to the monetary savings, is that information is received more promptly and is more easily accessible.

ANALYSIS OF PROCEDURES RELATED TO POSTAGE

The Judiciary has procured consultant services to conduct a review of postage-related procedures and spending in the courts. The purpose is to identify whether there are ways to reduce costs or increase efficiencies. Begun in October 1999, the review should be completed in 2000. In the meantime, a number of courts are implementing locally developed methods to reduce postage costs, such as bulk mailing, postage metering, and, where cost effective, faxing.

IMPLEMENTATION OF NEW PUBLICATIONS PRINTING PROCESS

In fiscal year 2000, the Judiciary will begin printing in-house a variety of documents, such as committee agendas, training materials, and reports that previously were produced externally at higher cost.

Quantitative Benefits. The Judiciary expects to save about \$350,000 annually in printing costs from this effort.

<u>\$ in Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.33	\$0.33	\$0.34	\$0.35	\$0.35

Qualitative Benefits. Handling printing in-house will allow print jobs to be completed more promptly and should improve overall quality.

Statistical Reporting

IMPROVEMENTS TO STATISTICAL REPORTING

The Judiciary has two improvement efforts underway in the statistical reporting area. First, the Judiciary is examining its statistical data collection efforts to determine whether and how to make changes. Recommendations to improve data collection in the bankruptcy area are now being implemented. A review is ongoing in the appellate area and studies are forthcoming in the civil, criminal, and trials areas. The purpose is to ensure the Judiciary collects the best type of data to support its needs, as well as the needs of Congress, the Department of Justice, other interested executive branch agencies, the legal community, and the general public. Second, the Judiciary is implementing electronic processes for collecting the large volume of statistical data submitted in hard copy by courts around the country. This initiative will eliminate the remaining manual collection of statistical data in the Judiciary. Plans call for project completion in fiscal year 2001.

Quantitative Benefits. Implementing electronic statistics collection processes will produce annual personnel efficiencies of about \$78,000 and avoid about \$9,000 annually in postage costs.

\$ in Millions

<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.04	\$0.08	\$0.08	\$0.08	\$0.09

Qualitative Benefits. Improving the type and quality of available data should increase the satisfaction level of those requiring statistical information on Judiciary operations and improve the quality of decision-making. Electronically collecting statistics will improve information accuracy by eliminating duplicate data entry and the accompanying manual intervention. Further, built-in edit features will catch immediately many errors. Also, the more efficient process will result in more timely submission of data.

Education and Training

ASSESSMENT OF TRAINING NEEDS AND EVALUATION OF TRAINING RESOURCE USE

The Judiciary has initiated a nationwide assessment of training needs in the Third Branch. Being conducted by an independent contractor, the purpose is to identify the knowledge, skills, and abilities court support and chambers staff need to perform their functions. This assessment also is identifying judges' administrative and operational training needs. The goal is to develop a training plan addressing—for the next three to five year period—who needs training, what type of training they need, how long the training should be, what training methods should be used, and how much it will cost. The consultant's report is expected in fiscal year 2000.

IMPLEMENTATION OF FINANCIAL MANAGEMENT IMPROVEMENT PROGRAM

In a complementary effort, the Judiciary has a program in place to improve financial management knowledge and skills. This is part of a nationwide initiative to improve overall financial management in the Judiciary. In addition to a training component, this multi-pronged effort involves modernizing existing financial management systems technology (with the CJA Panel Attorney Replacement System and the new Financial Accounting System for Tomorrow discussed on page 30 and page 32, respectively), improving business processes, and updating policies and procedures. Using cost-effective computer-based training, the Judiciary will develop several training courses during fiscal year 2000 covering appropriations law, internal controls, accounting operations, and budgeting.

Court Reviews

IMPROVEMENTS TO INTERNAL CONTROLS PROGRAM

In fiscal year 2000, the Judiciary will place increased emphasis on its internal controls program. This primarily will involve helping individual courts improve internal control plans by providing a web-based site that will include internal control standards, sample plans, links to General Accounting Office and Office of Management and Budget guidance, and training opportunities. This effort will complement current activities, which include annual assessments of internal control processes and procedures at the Administrative Office of the U.S. Courts. The Judiciary views a strong internal controls program as a critical part of its efforts to safeguard scarce, valuable resources against waste, fraud, and abuse.

INCREASED EMPHASIS ON COURT REVIEW PROGRAM

To meet growing workload demands and budget constraints, the Judiciary also is placing an increased emphasis on its management review programs in fiscal year 2000. These programs provide the courts, probation and pretrial services offices, and federal public defender organizations with on-site assistance from a team from the Administrative Office of the U.S. Courts, individual courts, and contractors. Written evaluations provide the office being reviewed with concrete, objective information on the state of their organization and custom recommendations for improvement. For example, past reviews have improved court organizational structures, courthouse and computer security, data reliability, employee morale, office communications, and business practices and policies. Areas of focus include court operations, organizational structure, case management, space and facilities administration, human resources, information technology improvement, employee morale, and communications. The Judiciary also is working on formalizing a regular process to assess the condition of the docket. These reviews play a crucial role in improving the economy, efficiency, and effectiveness of court operations and are essential components of effective program management.

Organizations may be selected for a review based on one of the following: 1) a request from a chief judge or unit executive; 2) special demographic or geographic considerations; 3) a random selection process; 4) statistics that suggest efficiencies or inefficiencies in operations; or 5) the length of time since the last review.

In fiscal year 1999, the Judiciary developed a Productivity Improvement Web Site. Available to all courts around the country, the web site provides an opportunity for courts to share initiatives they have implemented to save money, improve pro-

ductivity, and increase efficiency or effectiveness. Courts describe their initiatives, explain the resulting benefits, and offer a contact name for questions. As of December 1999, the web site included about 380 items. The contents demonstrate the courts' energy and firm commitment to making every effort to operate as leanly as possible.

APPENDIX

EXAMPLES OF LOCAL INITIATIVES TO IMPROVE PRODUCTIVITY

While not an exhaustive list of information included in the web site, the following offers examples of some of the initiatives individual courts have implemented.

Automation and Technology

- Implemented imaging and fax noticing systems to send notices and case information by fax, saving staff time and postage costs.
- Designated a telecommunications manager to operate the court's telecommunications system, instead of using the General Services Administration, saving contract costs.
- Installed a remote access server instead of purchasing modems for each computer, saving phone line and modem costs.
- Installed computer software to allow correction of automation problems at a remote site, reducing travel costs.
- Implemented an information system that combines personnel, training, and leave database records into one system, saving staff time.
- Implemented an automated process for the production of Judgment and Commitment Orders, saving staff time.
- Installed a computer network to allow users in different remote divisional offices to share files and access information, saving travel costs.

- Installed a document management system in the clerk's office, saving staff time and copying costs.
- Implemented an automated inventory program to keep track of furniture and equipment, saving staff time.
- Established public kiosks that improve distribution of information to the public and bar, saving staff time and distribution costs.

Court Operations

- Implemented a rotating duty judge program to focus on caseload at a divisional office, saving judge and staff time.
- Implemented a policy to reimburse employee travel on an actual expenses versus per diem basis, saving travel costs.
- Stopped mailing the trustee's copy of the bankruptcy petition and receipts at the court's expense, saving postage costs.
- Refurbished library shelving in a new judge's chambers instead of purchasing it new, saving construction costs.
- Required parties who file motions to provide pre-addressed postage paid envelopes, saving staff time and postage costs.
- Installed folder/stuffer equipment to eliminate the manual process of assembling summonses to prospective jurors, saving staff time and postage costs.
- Developed an automated time and attendance form eliminating the need for pre-printed time sheets, saving paper and printing costs.
- Started a self-service supply room instead of manually distributing supplies, saving staff time.
- Began using bar codes to process and archive cases more efficiently, saving staff time and storage costs.
- Discontinued using registered mail to transmit receipts to the regional Federal Reserve Bank, saving mailing costs.

- Installed mail boxes for attorneys and trustees who receive numerous notices from the court, saving postage costs.
- Consolidated a number of administrative functions based on an outside contractor study, saving personnel and space costs.
- Developed an automated calendaring system, saving staff time and printing and paper costs.
- Implemented recommendations to improve court administration from a specially formed Quality Council, saving staff time spent on several specific case-processing activities.
- Posted the master calendar and post indictment arraignment calendar on the court's Internet and Intranet website, reducing by almost 10,000 the number of pages copied per week, saving paper costs.

Probation and Pretrial Services

- Established a program that uses probation officers to provide drug treatment services for offenders instead of using outside contractors, saving contractor costs.
- Consolidated several administrative functions within the district court, saving personnel costs.
- Began requiring financial contributions from offenders receiving counseling services, saving contractor costs.
- Implemented a remote access system allowing probation officers to use laptops to dial into computer network files and e-mail from the field instead of traveling to and from the office, saving staff time.
- Implemented an office-wide re-engineering effort to improve productivity, saving staff time.
- Developed a partnership with the U.S. Forest Service to offer community service as a sentencing option, providing public service for the common good and saving Department of Justice prison costs.
- Adopted telecommuting, saving rent, furniture, and office equipment costs.

Jury Management

- Revised procedures to reduce the percent of jurors not selected or challenged for standard civil and criminal jury panels, saving juror, printing, and mailing costs.
- Reduced the prospective jury pool by 20 percent through changes in the jury utilization process, saving judge, staff, and juror time.
- Created a Master Wheel of jurors randomly selected from data automatically provided by the voter registration office, saving staff time and printing costs.
- Adopted a district-wide toll-free number for jury service information instead of paying for long distance collect calls, saving phone charges.

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